



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,613	05/23/2001	Yasushi Kasajima	125A 3121	8823
7590 Koda & Androlia 2029 Century Park East Ste. 1140 Los Angeles, CA 90067-2983			EXAMINER DESHPANDE, KALYAN K	
			ART UNIT 3623	PAPER NUMBER
			MAIL DATE 05/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/863,613

Applicant(s)

KASAJIMA ET AL.

Examiner

Kalyan K. Deshpande

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,7-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7-11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Introduction

1. The following is a non-final office action in response to the communications received on February 15, 2007. Claims 1, 4, 7-11, and 13 are pending in this application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 15, 2007 has been entered.

Response to Amendments

3. Applicants' amendments to claims 1, 4, 7, 11, and 13 are acknowledged.

Response to Arguments

4. Applicants' arguments filed on September 20, 2006 have been fully considered but are not found persuasive. Applicants' argue i) Foodman fails to teach the server analyzes attribute information comprised of inherent and status information, ii) Foodman's website is not provided for buildings and dwelling houses in which a specific customer resides, and iii) Foodman's controller fails to be capable of displaying visual information received from the external server.

In response to Applicants' argument Foodman fails to teach the server analyzes attribute information comprised of inherent and status information, Examiner respectfully disagrees. The Foodman system explicitly teaches the controller analyzes inherent and status information (see column 5 line 35-52 and column 6 lines 5-24; where once the system has been activated, the system continuously monitors the residence or commercial real estate. The system monitors the status of several sensors and camera. The central monitoring system is connected to the local system via a communications network. The controller sends changes in attribute and inherent information to the monitoring system. The controller can be run in local or remote mode. In local mode, the controller serves as a portal providing operational options to the user.). Applicants' specifically argue that the Foodman system only enables a user to play back video or audio information for the user to analyze the information. However, Foodman explicitly teaches that the system monitors the sensors of the system reports changes in inherent and status information (see column 8 lines 20-42). As described by Foodman, the system does more than merely provide account information and authentication information. Applicants even further argue "it should be thought that the system report is made from the information obtained by the user's access. Namely, the system report is produced as the result of the operation started when the user accesses". Examiner is unclear as the meaning of this argument. Examiner is assuming that this argument is referring to a functionality of the Foodman system that captures access information, i.e. logged access activity. As stated above,

Art Unit: 3623

the Foodman system explicitly teaches analyzing attribute information comprised of inherent information and status information.

In response to Applicants' argument Foodman's website is not provided for buildings and dwelling houses in which a specific customer resides, Examiner respectfully disagrees. Examiner has proposed that the controller of the Foodman system is provided at the building or dwelling house the specific customer resides. Furthermore, Examiner is unclear as to the change in the functionality to the present method by physically placing the server at the location the user resides, since the Foodman web site provides the same functionality regardless if the web site is on-location or not.

In response to Applicants' argument Foodman's controller fails to be capable of displaying visual information received from the external server, Examiner respectfully disagrees. Foodman explicitly teaches that the controller can display information received from an external source (see column 4 lines 42-67 and column 8 lines 11-20; where once the owner and monitoring stations are online, they can simultaneously view video and audio signals. Furthermore, the user can input changes to the system through the website and can view these changes at the controller. This is exactly displaying visual information received from the external server.).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3623

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 4 and 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Foodman et al. (U.S. Patent No. 6975220).

As per claim 4, Foodman et al. teach:

A system of offering specific customer information service to specific customer timely over communication network according to the changes in daily living circumstances of said customer staying or living in dwelling house or office building, said system comprising:

a dwelling management server which is provided in said dwelling house or office building and connected to both said communication network and an information communication network connected with said living facilities and equipment by way of a two-way communication network connected with said living facilities and equipment by way of a two-way communication (see column 6 lines 48-67 and column 8 lines 20-67; where a controller is in the place of monitoring, i.e. a dwelling house or office building. The controller is the same as a server as it processes information. The controller is connected to a communication network via two-way communication.), and

a service server equipped on said network (see column 6 lines 5-24; where a monitor is a service server that is connected to the controller via a communications network.),

wherein said dwelling management server constantly monitors attribute information comprised of inherent information and status information on said living facilities and equipment, sends said attribute information to said service server immediately when there occurs a change in said attribute information or at specific time intervals when there is no change in said attribute information, and functions as a portal site which provides an operational display screen having a menu for remotely controlling and supervising said living facilities and equipment and for viewing display information from an external server including said service server (see column 5 line 35-52 and column 6 lines 5-24; where once the system has been activated, the system continuously monitors the residence or commercial real estate. The system monitors the status of several sensors and camera. The central monitoring system is connected to the local system via a communications network. The controller sends changes in attribute and inherent information to the monitoring system. The controller can be run in local or remote mode. In local mode, the controller serves as a portal providing operational options to the user.), and

wherein said service server stores and analyzes said attribute information sent from said dwelling management server, and sends back as visual display information to said dwelling management server introduction information on products or services selected from information prepared in advance in reply to the received attribute information (see column 8 lines 43-64 and column 9 lines 40-50; where visual data is capture and stored in a database making the data available for later

Art Unit: 3623

review. Furthermore, a system user can generate actual use reports based on system events stored in the database.).

As per claim 7, Foodman et al. teach:

The system of claim 4, wherein said dwelling management server is a multi-functional communication terminal unit with function of displaying a request receiving screen on which requests and inquiries from said specific customer in said dwelling house or office building are displayed, and wherein said service server analyzes said inquiry and request received through said request receiving screen and sends back as visual information most appropriate advice information selected from various advices prepared in advance to said multi-functional communication terminal unit (see column 8 lines 11-20; where a user can use the system for multiple functions. The system accepts the user's request and displays the appropriate information based on the user's request. For example, a user can check the temperature at a temperature sensor and the system will provide the user with this information.).

As per claim 8, Foodman et al. teach:

The system of claim 4 or 7, wherein said living facilities and equipment include an emergency calling device, wherein said service server further comprises a users' management data base where location information including addresses or telephone numbers of said dwelling house is stored and, wherein said service server reports an emergency calling signal to public organs consisting of fire stations and police stations, together with location information, referring to said users' management data base, on receiving said emergency calling signals sent from said emergency calling

Art Unit: 3623

device (see column 4 lines 42-67; where public organs, including a fire station and police station, are notified in the case of an emergency. The emergency agents are provided with temporary access to the security system in order to determine all of the specifics needed to resolve the emergency.).

As per claim 9, Foodman et al. teach:

The system of any one of claim 4 to claim 7, wherein a center management server with customer's use actual result data base is further equipped on said communication network, wherein said dwelling management server comprises means for collecting use actual result information on said living facilities and equipment and sending the actual result information to said center management server, and wherein said center management server analyzes said use actual result and stores the analysis results in said use actual result data base, on receiving said use actual result information from said dwelling management server (see column 8 lines 43-64 and column 9 lines 40-50; where visual data is capture and stored in a database making the data available for later review. Furthermore, a system user can generate actual use reports based on system events stored in the database.).

As per claim 10, Foodman et al. teach:

The system of claim 9, wherein said center management server further comprises means for executing a program prepared in advance to automatically prepare a market trend investigation report in a specific form, referring to said use actual result data base as necessary and for sending said market trend investigation report thus prepared to other communication terminals of product manufactures

Art Unit: 3623

equipped on said communication network (see column 8 lines 11-20, column 8 lines 43-64, and column 9 lines 40-50; where visual data is capture and stored in a database making the data available for later review. Furthermore, a system user can generate actual use reports based on system events stored in the database. Any authorized user as designated by the premises owner has the ability to access actual use reports.).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foodman et al. (U.S. Patent No. 6975220) in view of Blackie et al. (Blackie, N.; Linge, N.; Brown, P.; "Advanced Customer Services, Bringing the Call Centre Home", *Metering and Tariffs for Energy Supply*, August 1999).

As per claim 1, Foodman et al. teach:

A method for offering specific customer information service to a specific customer timely over communication network according to the changes in daily living circumstances of said customer staying or living in a dwelling house, office building or building, said method comprising of the steps of:

Always monitoring at a dwelling management server equipped in said dwelling houses or office building attribute information comprised of inherent information and

Art Unit: 3623

status information on living facilities and equipment used in said dwelling houses or office buildings (see column 6 lines 12-24 and column 7 lines 35-55; where once the system has been activated, the system continuously monitors the residence or commercial real estate. The system monitors the status of several sensors and camera. If a sensor transmits something different from the inherent information, a signal is sent to the appropriate medium.),

automatically sending immediately from said dwelling management server said attribute information to a service server equipped on said communication network when there occurs change in said attribute information or at specific time intervals when there is no change in said attribute information (see column 4 lines 42-67, column 5 lines 53-67, column 6 lines 1-24, column 7 lines 21-55, and column 8 lines 20-65; where a response is sent to the central monitoring station and the premises owner of a change in event detected by a sensor. The system enables a two-way communication link between the owner and the central monitoring station. A control panel enables a user to control elements of the system that control the elements of the living facilities and equipment. The system has a local or central monitoring mode, enabling a user to supervise the living facilities and equipment. A website is available as a portal to receive and display information obtained from the system over a communications network in the local and central monitoring modes.),

storing and analyzing at said service server said attribute information sent from said dwelling management server, and sending back as visual display information after analyzing said attribute information to said dwelling management server

Art Unit: 3623

selected from information prepared in advance in reply to the received attribute information (see column 8 lines 43-64 and column 9 lines 40-50; where visual data is capture and stored in a database making the data available for later review.

Furthermore, a system user can generate actual use reports based on system events stored in the database.), and

wherein said dwelling management server being connected to said communication network and an information communication network connected to said living facilities and equipment, by way of two-way communication, controlling and supervising said living facilities and equipment, and functioning as a portal site for receiving and displaying display information from an external server provided on said communications network (see column 4 lines 42-67, column 5 lines 53-67, column 6 lines 1-24, column 7 lines 21-55, and column 8 lines 20-65; where the system enables a two-way communication link between the owner and the central monitoring station. A control panel enables a user to control elements of the system that control the elements of the living facilities and equipment. The system has a local or central monitoring mode, enabling a user to supervise the living facilities and equipment. A website is available as a portal to receive and display information obtained from the system over a communications network in the local and central monitoring modes.).

Foodman et al. fail to explicitly teach introduction information on products and services. Foodman et al. teach the collection of use data (see column 8 lines 43-64; where use information is collected and stored. Reports can be generated from this

Art Unit: 3623

data.). Blackie et al. teach introduction information on products and services (see p. 89; where the system enables the one-to-one marketing relationship based on customer data. Furthermore, the system enables cross marketing and sales based on service problems.). The advantage using collected use data for introducing information on products and services is that it enables the promotion of products based on customer needs thereby promoting customer service. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to incorporate the collected use data already taught by Foodman et al. and introduce information on products and services taught by Blackie et al. to the Foodman et al. system in order to promote products to customers based on customer needs thereby promoting customer service, which is a goal of Blackie (see p. 86).

As per claim 11, Foodman et al. teach:

The system of claim 4 wherein said living facilities and equipment includes electrical equipment used in said dwelling house or office building and said dwelling management server is a multi-functional communication terminal unit of network-adapted type, comprising:

A display screen where necessary information is displayed for remote control or two-way communication (see column 3 lines 60-67 and column 4 lines 1-8; where a display screen is enabled for video monitoring. A two-way communication link is also enabled.),

Means for remote control of said living facilities and equipment (see column 8 lines 11-20; where a user can use the system for multiple functions. The system

Art Unit: 3623

accepts the user's request and displays the appropriate information based on the user's request. For example, a user can check the temperature at a temperature sensor and the system will provide the user with this information. A user can do this remotely by using the system website.) and

Means for two-way communicating with said communication network and said indoor communication network, information network through which control signals are transmitted to said living facilities and equipment (see column 4 lines 27-41 and figures 1 and 3; where the local system and the central monitoring system are connected via the Internet. Communications between two computers connected on a network are considered two-way communications.); ,

Foodman et al. fail to explicitly teach the indoor communication network and the information network are connected to a power supply. It is old and well-known in the art to connect the indoor communication network and the information network to a separate power supply. The advantage of this setup is that the system stays active and can be monitored from remote locations. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of connecting the indoor communication network and the information network to a separate power supply in order to ensure the system stays active and can be monitored from remote locations, which is a goal of Foodman et al. (see column 1 lines 53-67).

Claim 11 further recites the limitation of introduction information on products and services already addressed by the rejection of claim 1; therefore the same rejection applies to this claim.

Art Unit: 3623

As per claim 13, Foodman et al. fail to explicitly teach a power information integration distribution board connected to the communication network and power distribution board, where the power information board supplies electric power and receives input signals. It is old and well-known in the art to have a power information board that is coupled to a communication network that controls the supply of power to equipment and is capable of receiving input signals. The advantage of this feature is that it enables a user control the input of power from a single source and control the input of power remotely using input signals. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the feature of a power information integration distribution board connected to the communication network and power distribution board, where the power information board supplies electric power and receives input signals with the Foodman et al. system in order to enable a user to control the input of power from a single source and control the input of power remotely, which is a goal of Foodman et al. (see column 1 lines 53-67).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are pertinent to the current invention, though not relied upon:

Stolzoff et al. (Stolzoff, Norman; Shih, Eric Chuan-Fong; Venkatesh, Alladi; "The Home of the Future: An Ethnographic Study of New Information Technologies in the Home", Project NOAH, Center for Research on Information Technology and

Art Unit: 3623


Organizations, January 2000) teaches the use of smart home systems to control various functions of the home.

Lutolf (Lutolf, R.; "Smart Home Concept and the Integration of Energy Meters into a Home Based System", Landis & Gry Energy Management Corp", 2000) teaches the use of smart home systems for the automation of home electronics.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571)272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



kkd



TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600